

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ROBERT J. ESQUIVEL,

Plaintiff,

SA-20-CV-00377-OLG

VS.

DAVID KENDRICK, BADGE #0567,
PATROL DIVISION, SAN ANTONIO
POLICE DEPARTMENT; TROOPER
FNU EASTBURN, #14720, TEXAS
DEPARTMENT OF PUBLIC SAFETY;
TROOPER FNU BIBBY, #14593, TEXAS
DEPARTMENT OF PUBLIC SAFETY;
TROOPER FNU WINDGATE, #13157,
TEXAS DEPARTMENT OF PUBLIC
SAFETY; SAN ANTONIO POLICE
DEPARTMENT, TEXAS HIGHWAY
PATROL DEPARTMENT OF PUBLIC
SAFETY,

Defendants.

ORDER

Before the Court in the above-styled cause of action is Plaintiff's *pro se* Motion for Continuance [#5], by which he asks for an extension of time to file his More Definite Statement ordered by the Court. Plaintiff explains in his motion that he lacks information to answer all of the questions posed by the Court in its previous order and requests discovery of evidence of all state-court documents pertaining to the arrest underlying this lawsuit.

The Court will grant Plaintiff the requested extension of time. However, this federal Court does not have the ability to provide Plaintiff with state-court documents to assist him in understanding the criminal proceedings at issue. But Plaintiff does not need these documents to answer the questions posed in the Court's order for a more definite statement. Plaintiff should answer the Court's questions based on his own personal knowledge and memory of the events on

the day of his arrest and surrounding his detention and any criminal proceedings that followed his arrest and detention. All the Court requires at this stage of the proceedings are facts from the perspective of Plaintiff. If the Court needs to review the state-court documents, Plaintiff has provided the Court with his SID number, and the Court can review these public records after receiving Plaintiff's More Definite Statement.

IT IS THEREFORE ORDERED that Plaintiff's *pro se* Motion for Continuance [#5] is **GRANTED IN PART** as follows: Plaintiff must file his More Definite Statement **on or before May 19, 2020**.

IT IS FINALLY ORDERED that in all other respects the motion is **DENIED**.

SIGNED this 28th day of April, 2020.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE